

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

RICHARD "RICK" RHODEN and
ELIZABETH RHODEN, his wife,

Petitioners,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D06-4220

RINKER MATERIALS OF
FLORIDA, INC., a foreign
corporation, and MICHAEL A.
STEWART, and STATE FARM
MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Respondents.

Opinion filed May 17, 2007.

Petition for Writ of Certiorari -- Original Jurisdiction.

Curry G. Pajcic and Benjamin E. Richard, of Pajcic & Pajcic, P.A., Jacksonville, for
Petitioners.

Michael Mattson and Warren B. Kwavnick, of Cooney, Mattson, Lance, Blackburn,
Richards & O'Connor, P.A., for Respondent Rinker Materials of Florida, Inc.

PER CURIAM.

We deny the petition for writ of certiorari. The order at issue was filed on July 12, 2006. The petition for writ of certiorari was filed on August 16, 2006. Accordingly, the petition was not timely filed. Fla. R. App. P. 9.130(b). Additionally, even if the order was timely filed, the petition would be denied because there is an adequate remedy on appeal. See Dunmore v. Eagle Motor Lines, 560 So.2d 1261 (Fla. 1st DCA 1990).

DENIED.

BARFIELD, VAN NORTWICK, and THOMAS, JJ., CONCUR.